IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.250 OF 2003

Sureshbhai C. Vakharia ... Petitioner

v/s

M/s Sneha Prints ... Respondents

Mr R.Singh i/b Mr S.M. Jain for Petitioner.

None for Respondents.

CORAM : D.K.DESHMUKH J.

DATE : 14TH MARCH 2005

P.C.: -

1. By this petition, the petitioner challenges the award passed by the Arbitral Tribunal of Bharat Merchants' Chamber. The case of the petitioner is that the petitioner was not served with the notices issued by the Arbitral Tribunal. The petitioner has stated in the petition that after he was served with the award, he has taken inspection of the record and that inspection shows that the notices were issued to him by the Arbitral Tribunal on the following address :-

"51/55, Old Hanuman Lane,

1st Floor, Mumbai 400 002."

. According to the petitioner, that was not his correct address and he had shifted elsewhere. However, apart from making statement to that effect, the petitioner has not produced any documentary evidence to show that he was not having his office / shop at the address mentioned in the award at the relevant time. The petitioner has also not produced any documentary proof on record to show that he shifted his office / shop from that place at any point of time before the Arbitral Tribunal sent notices at that address. In the

absence of any documentary proof, the statement made in the petition cannot be accepted. In this view of the matter therefore, the award made against the petitioner cannot be set aside. Petition is disposed off.

. Parties to act on the copy of this order duly authenticated by the Associate / Personal Secretary as true copy.

. Certified copy expedited.